

HOUSE BILL 3336  
By Chumney

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 30,  
to protect state employees when there is a change in  
governmental structure or organization.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 30, is amended by adding  
the following new appropriately designated section:

(a) Notwithstanding any other provisions in this chapter or other statutes, a  
change in the governmental structure of a department or agency through the process of  
unification, consolidation, abolition, reorganization, merger or transfer of a unit, division  
or function shall not impair, interrupt or diminish the rights and privileges of a then  
existing state employee, and such rights and privileges shall continue without  
impairment, interruption or diminution.

(b) If an employee becomes the employee of any other department or agency as  
a result of a change in governmental structure, then the rights and privileges of such  
employee shall continue without impairment, interruption or diminution. When, as a  
result of such restructuring, an employee is placed in a position of a classification in a  
lower ranking pay grade than previously held, such employee shall not suffer any  
reduction in pay.

(c) "Rights and privileges" as used in this section, includes, but is not limited to,  
salary and other compensation, benefits, pension and retirement benefits, leave

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accumulation, civil service status and employee rights and privileges, whether granted by statute, rule, policy or practice.

(d) Prior to a change in any governmental structure or organization becoming effective, the commissioner of personnel shall determine that the rights and privileges protected by this section are not impaired, interrupted or diminished. The commissioner of personnel is authorized to enforce this section. Also, any employee aggrieved by any impairment of rights or privileges in violation of this section shall have the right to seek redress through the grievance procedure established in Tennessee Code Annotated, Section 8-30-328.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.